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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**ROBERT WOODROFFE ,**  
PLAINTIFF,

VS.

CIVIL CASE NO. CV-977-MO

**AMENDED COMPLAINT**

**OREGON DEPT. OF CORRECTIONS**  
(ODOC)

**JURY TRIAL DEMANDED**

**MAX WILLIAMS,**  
DIRECTOR,ODOC,

**JEAN HILL,**  
SRCI SUPERINTANT,  
**SHARRON BLACKETTER,**  
EOCI SUPERINTENDENT,  
**STEVE SHELTON,**  
HEALTH ADMIN.,ODOC.

**TLC COMMITTEE,**  
SRCI,

**TLC COMMITTEE,**  
EOCI,

**TREASA HICKS,**  
GRIEVANCE COORDINATOR, SRCI

**P. MAINE,**  
GRIEVANCE COORDINATOR, EOCI

**PHARMACY DEPARTMENT,**  
SRCI,

**DR IAN DUNCAN,**  
SRCI,

**DR.GARTH GULICK,**  
SRCI,

**DR.ISHIDA,**  
SRCI,

**DR.J. HARTWIG,**  
SRCI,

**DR.M.SMITH,**  
SRCI,

**DR.LYTLE,**  
TRCI,

**DR. J.H. DIEHL,**  
EOCI,

**DR. J.B.FELDER,**  
EOCI,  
**PHYSICIANS ASST.SMITH,**  
SRCI,  
**PHYSICIANS ASST.GUNDERSON,**  
TRCI,  
**NURSE PRACTIONER FULLER,**  
EOCI,  
**PHARMISIST COBB,**  
SRCI,  
**NURSE S.HODGE,**  
SRCI MEDICAL MANAGER,  
**MR.RYALS,**  
SRCI MEDICAL SUPERVISOR,  
**NURSE GARDNER,**  
EOCI MEDICAL SUPERVISOR,  
**NURSE CAGLEY,**  
SRCI,  
**NURSE CLEVELAND,**  
EOCI,  
**NURSE REYNOLDS,**  
EOCI MEDICAL MANAGER,  
**NURSE WILLIAMS,**  
EOCI MEDICAL MANGER,  
**MENTAL HEALTH DEPARTMENT,**  
SRCI,  
**MS.ATKINS,**  
MENTAL HEALTH SUPERVISOR,  
**MS. HARMAN,**  
MENTAL HEALTH PRACTIONER-SRCI,  
**CAPTAIN MILHORN,**  
SRCI,  
**LT.REAL,**  
SRCI,  
**OFFICER MS. FOWLER,**  
SRCI,  
**SARGANT STEVE LANGE,**  
SRCI,  
**OFFICER OLIVE,**  
SRCI,  
**CHRIS POWELL**  
HEARINGS OFFICER-SRCI,  
**OREGON BOARD OF PAROLE MEMBERS,**  
ODOC,  
**MR.M.WASHINGTON,**  
ODOC-OBOP.MEMBER,

**MR.BAKER,**  
ODOC-OBOP MEMBER,  
**MS.HANNON,**  
ODOC-OBOP MEMBER,  
**MS.M.ROSSI,**  
LIBRARY COORDINATOR-SRCI,  
IN THERE INDIVIDUAL AND OFFICIAL CAPACITIES,  
TO WIT, ET,AL. DEFENDANTS.

### **PRELIMINARY STATEMENT**

This is a civil rights action filed by Robert Woodroffe ,a state prisoner at snake river correctional facility and seeks damages and injunctive relief under 42 U.S.C. 1983 alleging denial of medical care in violation of eighth amendment to the United States Constitution,14 th amendment to the United States Constitution , 5 th amendment to the United States Constitution ,civil rights act of 1871,and Oregon revised statutes ors.423.020 (1)(d),(4)(a)and ors 169.076(5)(c),(14),and ors.421.155 and confinement in segregation in violation of the Due Process Clause of the Fourteenth Amendment to the Constitution ,and for denial of treatment per ors.421.155 which violates United States Constitutional Amendments 5<sup>th</sup>,8<sup>th</sup>,14, to the U.S. Constitution . While at SRCI and EOCI Plaintiff has been denied treatment for a hernia that has caused a great deal of pain for plaintiff and due to complaining to both medical department and filing grievances and writing supervisors<sup>now</sup> other medications for other medical problems have been cut off completely and nothing to substitute problem and I am told to not complain further of these problems or I could be found in violation of violating a directive of staff and abuse of medical sick call. So my hernia continues to cause me pain and my legs are in pain and go

with on going spasms and cramping and numbness. And they fail to check for confirmation that a stomach infection is gone and when I brought this up to SRCI medical they refused to check for it even though EOCI said it would be checked since it could cause cancer of the stomach but they refuse to check for it. Mental health fails to provide treatment even when they say they will order it and fails to keep appointments that are scheduled on numerous occasions. Mental health also by law has an obligation to to treat people that are sentenced as a dangerous offender under ors. 161.725 and 161.735 per ors.421.155 which they claim they no longer do treatment and by so violates my constitutional rights. And the courts have now ruled that the dangerous offender sentence is not constitutional as to the time given for it. Security staff in special housing placed plaintiff in punitive segregation and wrote a misconduct for a violation that could not be supported with nothing more than hearsay even though they knew and heard that plaintiff was being set up by another inmate that he was having problems with and after serving his sanction which he was kept for several days past his out date cause staff claimed they had mis information about my release. He was again placed in ad segregation and within six days the same accusations were being made and this time he was placed in segregation but no misconduct was issued as they knew it was a set up by inmates once again yet would

do nothing for the problem but punish me though they knew I was not guilty and several staff knew that it was a set up but would not correct the problem or replace my status or back pay and job and lost wages when this would be the proper thing to do and I got this documented yet though several people agree that this should happen both staff and inmates have done nothing to solve and correct the wrongful action. Sargent lange has a history of destroying inmates property and lying or trying to set up inmates or staff to get out of his own trouble and he tried to set me up and all these wrongful segregations stem from him and he is suppose to protect me but he told other inmates the next day that I was telling on inmates on the side that I was on and he took property of my that that I was letting others listen to and or see and then confiscated it with out following procedure and after doing this he planted contraband in my cell in hopes of seeing that I do a lot of time in segregation but this was not accepted and he had other co-workers even try to help him and take document ion that I had on him for his wrong acts and I got this documented also but this failed also at the hearing. The inmate that set me up is very financial set up and has a history of buying anything he wants and has set up several inmates using his unlimited money or influence to do so just like he did in his crime. I am needing these problems corrected so that my constitutional rights are protected. Plaintiff seeks compensatory and punitive damages and injunctive relief.

Jurisdiction over plaintiff's

### **I. JURISDICTION AND VENUE**

1. The court has jurisdiction over the plaintiffs' claims of violation of federal constitution rights under 42 U.S.C. 1331,1343.
2. The court has supplemental jurisdiction over the plaintiff's state law tort claims under 28 U.S.C. 1367.
3. Tort claim notice was given timely in accordance with ORS .30.275.

### **II. PARTIES**

4. The Plaintiff Robert Woodroffe, is incarcerated at Snake River Correctional Facility(SRCI) and is a citizen of the United States of America and a resident of the State of Oregon.
5. Defendant Oregon Department Of Corrections is the title for state of Oregon prison system in oregon and responsible for the running of all department of corrections prisons.
6. Defendant Max Williams is the department of corrections director and is responsible for the management of and running operations of all prisoner facilities in oregon and ensuring that all policy's and rules and state laws are followed, he is also responsible for all employees working for department of corrections in insuring that safety and security is followed and that all policies and procedures are also followed and maintained within each facility including an inmates constitutional rights both state and federal.
7. Defendant Jean Hill is responsible for operations, safety and security of Snake river correctional facility and to ensure that inmates and staff follow policy's and rules and all state laws, and to supply proper medical care and treatment for all prisoners in her facility.

8. Defendant Sharron Blacketter is responsible for operations,safety and security of eastern oregon correctional facility and to ensure that inmates and staff follow polices and rules and all state laws ,to supply proper medical care and treatment for all prisoners in her facility.
9. Defendant Steve Shelton is the Medical Administrator for the Department of corrections and is responsible for ensuring the policy and provisions and rules of medical care to prisoners and also that staff and doctor's and nurses follow the rules and polices and laws of this state in assuring that all inmates receive proper medical care, and he is also responsible for making policy and rule changes in medical that are in line with the law and the constitution of this state and the US. Federal Constitution.
10. Defendant TLC. Committee for Snake River Correctional Facility is responsible for reviewing inmates for certain levels of care per Dr.Steve Shelton DOC.  
Administrator and following his rules and policy's regardless of the inmates needs.
11. Defendant TLC. Committee for Eastern Oregon Correctional Facility is responsible  
for reviewing inmates for certain levels of care per Dr.Steve Shelton DOC.  
Administrator and following his rules and policy's regardless of the inmates needs.
12. Defendant Treasa Hicks is the grievance and rules coordinator for Snake River Correctional Facility and is responsible for processing grievances and assigning them to the proper people and to ensure that they are processed and replied to according to Oregon Administrative Rules and to ensure that inmates have the opportunity to exhaust all administrative channels before filing any civil suits in State or Federal courts.
13. Defendant Ms. P.Maine is the grievance and rules coordinator for Eastern Oregon Correctional Facility and is responsible for processing grievances and assigning  
them to the proper people and to ensure that they are processed and replied to according to Oregon Administrative Rules and to ensure that inmates have the opportunity to exhaust all administrative channels before filing any civil suits in State or Federal courts.
14. Defendant Pharmacy Department is responsible for ensuring that inmates medicine orders are timely filled so that they don't run out of there prescription that is ordered by a doctor and to ensure that there is adequate amount for an inmates order.
15. Dr. Ian Duncan is a contracted doctor for snake river correctional facility and chief medial officer and a doctor of \_\_\_\_\_ which he specialize in the medial field of medicine and here at srci he oversees other doctor's and also handles care of patients and is to ensure that a prisoner get proper medical care and that his oath as a doctor is followed and not to be indifferent to an inmates complaints of pain ,restricted capacity,discomfort and anxiety and to treat and prescribe medicines as needed for each patient he sees and assure other doctors orders are followed for conditions diagnosed by that doctor so that treatment may continue when needed and not deny any patient

medical care when needed nor fail to follow the law and constitutional standards for medical care. He also sits in on TLC. Meetings for this facility. He is also not to be deliberately indifferent to a prisoners medical complaints of pain and discomfort and anxiety caused by denial of treatment to serious medical needs.

16. Defendant Dr. Garth Gulick is a contracted doctor for snake river correctional facility and a doctor of family practice and currently works in special housing within the prison and sees prisoners once a week for medical conditions once they get scheduled by medical nurses and can be seen and to ensure that his patients which he sees gets the treatment they have coming and not be deliberately indifferent to a persons medical needs or complaints of pain. He is to follow his oath as a doctor and to treat a patient any less that that of a person on the outside and is to continue treatment prescribed by another doctor for conditions diagnosed by that doctor nor are they to discontinue treatment prescribed by that doctor which helps plaintiffs pain and discomfort due to costs of medicines for treatment and is not to ignore a persons conditions due to personal reasons or a policy's or costs and is to not deny any patient medical care when needed nor fail to follow the law and constitutional standards for medical care. This doctor also sits on the TLC.meeting to determine a treatment of care for patients per policy regardless of the need or pain for DOC. Facility's. He is also not to be deliberately indifferent to a prisoners medical complaints of pain and discomfort and anxiety by denial of treatment to serious medical needs.
17. Defendant Dr. Ishida is a contracted doctor for snake river correctional facility and a member who sits on TLC.Committee to evaluate a file when another doctor put in for a medical need of a patient need and is bound by DOC policy that DR. Shelton created. He is also not to be deliberately indifferent to a prisoners medical complaints of pain and discomfort and anxiety by denial of treatment to serious medical needs.
18. Defendant Dr..J.Hartwig is a contracted doctor for snake river correctional facility and a member who sits on TLC.Committee to evaluate a file when another doctor put in for a medical need of a patient need and is bound by DOC policy that DR. Shelton created. He is also not to be deliberately indifferent to a prisoners medical complaints of pain and discomfort and anxiety by denial of treatment to serious medical needs.
19. Defendant Dr. M.Smith is a contracted doctor for snake river correctional facility and a member of the TLC. Committee whom sits with other doctors to determine if a treatment should be authorize even though he has never seen this person and makes a medical diagnosis based on another doctor and policy regardless of need or pain. This doctor is to follow his oath as a doctor and the laws and not be deliberately indifferent to a persons medical needs that are of constitutional standards for patients within facility. He is not to be deliberately indifferent to a prisoners medical complaints of pain and discomfort and anxiety caused by denial of treatment to a serious medical need.
20. Defendant Dr.Lytle is a doctor for two rivers correctional facility and a member of the TLC. Committee whom sits with other doctors to determine if a treatment should be authorize even though he has never seen this person



and makes a medical diagnosis based on another doctor and policy regardless of need or pain. This doctor is to follow his oath as a doctor and the laws and not be deliberately indifferent to a persons medical needs that are of constitutional standards for patients within facility. He is not to be deliberately indifferent to a prisoners medical complaints of pain and discomfort and anxiety caused by denial of treatment to a serious medical need.

21. Defendant Dr.J.H.Diehl is a contracted doctor for the eastern oregon correctional facility and a member and a member of TLC. Committee for that facility and is the assigned special housing doctor and is responsible for the treatment and care of all prisoners assigned to special housing and is to ensure that proper treatment is given at all times with in the guidelines of the law and proper treatment is given at all times with in the guidelines of the law and us constitution . He is to not be deliberate indifferent to a prisoners complaints of pain and discomfort and anxiety caused by denial of treatment to a serious medical need.
22. Defendant Dr.J.B.Felder is a contracted doctor for eastern oregon correctional facility and chief medial officer and a doctor of family practice which he specialize in the medial field of medicine and here at srci he oversees other doctor and also handles care of patients and is to ensure that a prisoner get proper medical care and that his oath as a doctor is followed and not to be indifferent to an inmates complaints of pain ,restricted capacity,discomfort and anxiety and to treat and prescribe medicines as needed for each patient he sees and assure other doctors orders are followed for conditions diagnosed by that doctor so that treatment may continue when needed and not deny any patient medical care when needed nor fail to follow the law and constitutional standards for medical care. He also sits in on TLC. Meetings for this facility. He is also not to be deliberately indifferate to a prisoners medical complaints of pain and discomfort and anxiety caused by denial of treatment to serious medical needs.
23. Defendant Physicians Asst.Smith,was currently working in special housing within the prison and seen prisoners once a week for medical conditions once they get scheduled by medical nurses and can be seen and to ensure that his patients which he sees gets the treatment they have coming and not be deliberately indifferent to a persons medical needs or complaints of pain. He is to follow his oath as a doctor and not to treat a patient any less that that of a person on the outside and is to continue treatment prescribed by another doctor for conditions diagnosed by that doctor nor are they to discontinue treatment prescribed by that doctor which helps plaintiffs pain and discomfort due to costs of medicines for treatment and is not to ignore a persons conditions due to personal reasons or a policy's or costs and is to not deny any patient medical care when needed nor fail to follow the law and constitutional standards for medical care. This doctor also sits on the TLC.meeting to determine a treatment of care for patients per policy regardless of the need or pain for DOC. Facility's. He is also not to be deliberately indifferent to a prisoners medical complaints of pain and discomfort and anxiety by denial of treatment to serious medical needs.
24. Defendant Physicians Asst.Gunderson,WORKS for two rivers correctional

facility and a member of the TLC. Committee whom sits with other doctors to determine if a treatment should be authorize even though he has never seen this person and makes a medical diagnosis based on another doctor and policy regardless of need or pain. This doctor is to follow his oath as a doctor and the laws and not be deliberately indifferent to a persons medical needs that are of constitutional standards for patients within facility. He is not to be deliberately indifferent to a prisoners medical complaints of pain and discomfort and anxiety caused by denial of treatment to a serious medical need.

25. Defendant Nurse practitioner Fuller, currently works in eastern oregon correctional facility and sees prisoners daily for medical conditions once they get scheduled by medical nurses and can be seen and to ensure that there patients which she sees gets the treatment they have coming and not be deliberately indifferent to a persons medical needs or complaints of pain. Shes to follow her oath as a nurse practitioner and not to treat a patient any less that that of a person on the outside and is to continue treatment prescribed by another doctor for conditions diagnosed by that doctor nor are they to discontinue treatment prescribed by that doctor which helps plaintiffs pain and discomfort due to costs of medicines for treatment and is not to ignore a persons conditions due to personal reasons or a policy's or costs and is to not deny any patient medical care when needed nor fail to follow the law and constitutional standards for medical care. This practitioner also sits on the TLC. meeting to determine a treatment of care for patients per policy regardless of the need or pain for Eastern oregon correctional facility. She is also not to be deliberately indifferent to a prisoners medical complaints of pain and discomfort and anxiety by denial of treatment to serious medical needs.
26. Defendant pharmacists Cobb is responsible for ensuring that orders for medications received are filled in a timely manner and is not to ignore any written doctors order unless that order is changed by someone with authority to do so they are also not to be deliberately indifferent to a prisoners medical complaints of pain and discomfort and anxiety by denial of treatment to serious medical needs by purposely not filling a prescription.
27. Defendant Nurse S.Hodge, is a srci medical supervisor, and is responsible for all other nurses performance and assuring that they understand there jobs and do them professionally and that each gets proper training before assigning them on there own duties. She is also responsible that inmates also get proper care and treatment and also in resolving any type of medical grievance between staff and or inmates when they are brought to her and she is also not to be deliberately indifferent to a prisoners medical complaints of pain and discomfort and anxiety by denial of treatment to serious medical needs.
28. Defendant Mr. Ryals is srci medical supervisor, and responsible for all medical personal and to assure that everyone does there job and that all inmates medical concerns are dealt with in a timely manner and also make sure that all personal are properly trained before assigning them a un-supervised assignment. He is also not to be deliberately indifferent to a prisoners medical complaints of pain and discomfort and anxiety by denial of treatment to serious medical needs.
29. Defendant Nurse Gardner, is the eoci medical supervisor, and responsible for



all medical personal and to assure that everyone does there job and that all inmates medical concerns are dealt with in a timely manner and also make sure that all personal are properly trained before assigning them a un-supervised assignment. She is also not to be deliberately indifferent to a prisoners medical complaints of pain and discomfort and anxiety by denial of treatment to serious medical needs.

30. Defendant Nurse Cagley is a medical nurse for srci and is still under probation and her duties include that she evaluate inmates for medical problems and assure that medications are refilled so inmates don't run out and also to schedules inmate to see doctors. She is also not to be deliberately indifferent to a prisoners medical complaints of pain and discomfort and anxiety by denial of treatment to serious medical needs.
31. Defendant Nurse Cleveland is a medical nurse for eoci, and her duties include that she evaluate inmates for medical problems and assure that medications are refilled so inmates don't run out and also to schedules inmate to see doctors. She is also not to be deliberately indifferent to a prisoners medical complaints of pain and discomfort and anxiety by denial of treatment to serious medical needs.
32. Defendant Nurse Reynolds ,is a srci medical manager and is responsible for all other nurses performance and assuring that they understand there jobs and do them professionally and that each gets proper training before assigning them on there own duties. She is also responsible that inmates also get proper care and treatment and also in resolving any type of medical grievance between staff and or inmates when they are brought to her and she is also not to be deliberately indifferent to a prisoners medical complaints of pain and discomfort and anxiety by denial of treatment to serious medical needs.
33. Defendant nurse Williams eoci medical manger, and is responsible for all other nurses performance and assuring that they understand there jobs and do them professionally and that each gets proper training before assigning them on there own duties. She is also responsible that inmates also get proper care and treatment and also in resolving any type of medical grievance between staff and or inmates when they are brought to her and she is also not to be deliberately indifferent to a prisoners medical complaints of pain and discomfort and anxiety by denial of treatment to serious medical needs.
34. Defendant Mental Health Department, here at srci is responsible for assuring that inmate receive mental health treatment as needed and also to keep adequate staff employed to manage the mental health inmate cases that are at this facility and that they are properly trained and that inmates can see a provider in a timely manner so that there mental health needs can be timely met. Also they are to give inadequate treatment and not deny no one treatment that needs and requests it for there medical conditions, and they are also to follow there policy's and OAR Rule and Oregon law and constitutional law in treating inmates for there conditions and if they cant then they need to arrange treatment someone other way. They are not to be deliberately indifferent to an inmates mental health concerns nor not treat them for diagnosed conditions, nor are they to experiment with inmates with medications or treatments.
35. Defendant Atkins's, is the Mental Health Supervisor, and is responsible for mental health staff, counselors and and providers so that inmates get the proper

36. treatment that they need. She is also responsible that inmates are seen in a timely manor and to resolve any problems that arise with staff and or inmates over mental health conditions. not to be deliberately indifferent to an inmates mental health concerns nor not treat them for diagnosed conditions,nor are they to experiment with inmates with medications or treatments.
37. Defendant Ms.Harman is a Mental Health practitioner here at srci and is to see inmates that are referred to her by counselors or medical department for evaluations and is to follow her schedule when here at srci when she comes here and is to give the treatment she deems appropriate for each inmates conditions with the treatment most appropriate for that patient. she is also not to be deliberately indifferent to an inmates mental health concerns nor not treat them for diagnosed conditions,nor are they to experiment with inmates with medications or treatments. also she is to follow the laws of this state and there oath as practitioner's to each persons
38. Defendant Captain Milhorn is in charge of and is the assigned special housing captain for ISU/ASU/DSU here at srci and he is to ensure that the orderly operations of these sections are managed in a manner consistent with the rules/polices/procedures for these areas. He is responsible for the safety of all people within his assigned area and is to thoroughly investigate any and all complaints or assign it to another person who will and is to not ignore any possible set up and to ensure the truthfulness of hearsay testimony and if other evidence should come up then re-open a matter so due process won't be violated by any process within his power if it will change the out come of a wrongful action. He is to follow the laws/polices/oar rules and constitutional standards set by this state and the constitution of the united states,and when a wrongful action is caught or suspected them it should be corrected as if it had never happened to make the wrongful action right. He is also to follow the law and OAR rule for this state and constitutional law.
39. Defendant Lt.Real is in charge of employees below his rank here at srci and also answers to Captain Milhorn and performs the same duties and is to ensure that the orderly operations of these sections are managed in a manner consistent with the rules/polices/procedures for these areas. He is responsible for the safety of all people within his assigned area and is to thoroughly investigate any and all complaints or assign it to another person who will and is to not ignore any possible set up and to ensure the truthfulness of hearsay testimony and if other evidence should come up then re-open a matter so due process won't be violated by any process within his power if it will change the out come of a wrongful action. He is to follow the laws/polices/oar rules and constitutional standards set by this state and the constitution of the united states,and when a wrongful action is caught or suspected them it should be corrected as if it had never happened to make the wrongful action right. He is also to follow the law and OAR rule for this state and constitutional law.
40. Defendant Officer Ms. Fowler is employed as a correctional officer at srci,and

her job duties are to take job post assignments as given every six months unless they got minority to bid for it and her job is at this moment seeing that the operations in ASU runs per procedure and that all inmates get along and do as they are suppose to do per the rules and if a rule violation is committed she is to investigate it and then report it to there immediate supervisor or there supervisors boss if theres is not available and follow there instruction and they are to treat all inmates equal and fair and per the rules and there contract upon employment and they are to follow the rules and there law of this state and all OAR Rules and and be through in all investigations and report all they find out so it will be throughly done and fair. They are to not break any rules or laws through there employment nor are they to give special treatment to inmates for any reason and to treat all inmates equal Nor take or deny any inmate due process to courts or harass or threaten plaintiff's in legal action nor take inmate exhibits or punish then for filing civil suits.

41. Defendant Sargent Steve Lange is a department of corrections employee and works at snake river correctional facility and assigned a post every 6 months and was working in ASU and his job duties are to ensure safety and security of staff and inmates and that things run smoothly per his superiors and since it is a protective custody unit he is to make sure there is no problems between others inmates as well. He is to also follow the rules and polices in operating this unit and to treat all inmates equal and to protect inmates from each other and others. He is to also follow the rules and polices in operating this unit and to treat all inmates equal and to protect inmates from each other and others.
42. Defendant officer olive is employed as a correctional officer at srci, and his job duties are to take job post assignments as given every six months unless they got seniority to bid for it and his job is at this moment seeing that the operations in ASU runs per procedure and that all inmates get along and do as they are suppose to do per the rules and if a rule violation is committed he is to investigate it and then report it to there immediate supervisor or there supervisors boss if theres is not available and follow there instruction and they are to treat all inmates equal and fair and per the rules and there contract upon employment and they are to follow the rules and there law of this state and all OAR Rules and and be through in all investigations and report all they find out so it will be throughly done and fair. They are to not break any rules or laws through there underemployment are they to give special treatment to inmates for any reason and to treat all inmates equal Nor take or deny any inmate due process to courts or harass or threaten plaintiff's in legal action nor take inmate exhibits or punish then for filing civil suits.
43. Defendant Chris Powell is a hearings officer at srci and his job is to conduct hearing informal and formal for rule violations made by inmates in this facility and is to follow the rules and policy's set out for conducting hearing and is to be fair and impartial and to allow investigations per rule and to follow the OAR rules 291-105-0028 and not violate an inmates constitutional rights in conducting a hearing.
44. Defendant Oregon Board Of Parole Members consist of 3 members and there job duties are to conduct parole consideration hearing per Oregon revised statutes and Oregon administrative Rules set out for these hearings and all case law both state and federal as they are required to follow these rules, policy's and procedures and state law.

45. Mr. M. Washington is a member of Board of Parole and is responsible with the other two members in deciding hearings for people under there care and to be fair and impartial and to follow the oregon administrative rule and

Procedures and laws of this state and to follow the constitution for both state and federal and in determining deferrals and or parole release dates with this understanding and is to consider all evidence in matters and to release when it shows to be appropriate for a individual.

46. Mr. M. Washington is a member of Board of Parole and is responsible with the other two members in deciding hearings for people under there care and to be fair and impartial and to follow the oregon administrative rule and Procedures and laws of this state and to follow the constitution for both state and federal and in determining deferrals and or parole release dates with this understanding and is to consider all evidence in matters and to release when it shows to be appropriate for a individual.

47. Ms. Hannon is a member of Board of Parole and is responsible with the other two members in deciding hearings for people under there care and to be fair and impartial and to follow the oregon administrative rule and Procedures and laws of this state and to follow the constitution for both state and federal and in determining deferrals and or parole release dates with this understanding and is to consider all evidence in matters and to release when it shows to be appropriate for a individual.

48. Ms. Rossi is the law library coordinator for srci facility and is responsible for inmates getting legal access to the courts and that they have supplies and forms for filing papers for the courts and in doing notary's for there legal actions and to help in inmates meeting dead lines for court actions and assuring that there due process rights are protected for there legal actions and to schedule them legal time for there cases. She is not to violate there constitutional rights both state and federal. She is also responsible for following the law and oregon administrative rules and procedures for legal library.

49. All the defendants have acted, and continue to act, under color of state law at all times relevant to this complaint but they have also have violated both state and federal constitution in the process.

### III. FACTUAL ALLEGATIONS

50. IN 2003 I started to Get a large lump on my right side of my belly button and one day it started to hurt and started to grow and the doctors stated that its not a problem yet, and it continued to cause me pain and problems and suffering and finally a couple doctors put in to get it fixed due to my pain and problems and this was denied. This hernia and medical problems have occurred during my incarceration in prison since 1994.
51. on or about 5-18-04 plaintiff wrote a letter to Dr. Shelton, Chief medical Director addressing his health concerns and difficulty with Dr. Duncan and concerns with hernia that had been discussed by TEC. committee several times and this matter became closed due to transfer and medication being restored as they were before Dr Duncan wanted to lower them to bring me off them.

52. Max Williams is the Director & Responsible for the operation of each prison, and in 2005 on two occasions of which both times went un-answered in turn leaving my Hernia problem un-Resolved or addressed.
53. Jean Hill I've sent several inmate communications and she either don't Reply or someone else does, but she's aware of my pain and Hernia due to various grievances I've filed.
54. Sharron Blacketter is Responsible for inmates in her facility, and she got communications of my Hernia pain and problems and choose not to correct the problem.
55. Dr. Steve Shelton in a letter stated that "I had no medical diagnosis to support evidence of your need for Norontin or Benadryl Dated 7-5-05
56. Psy nurse practitioner R. Harman states in a inmate communication that medical Director decides what meds can be issued or removed from dispensing.
57. Dr. Shelton is the chair person that sits on the TLC committee and has the final say on all issues of the health care of inmates needs
58. Dr. Shelton in a Reply Dated 7-1-05 states each doctor is in charge with making medical treatment decisions on there evaluation of

- Each patient and states that the provider has ordered the medication's he or she feels is appropriate. evidence based treatment decisions yet makes statements not knowing facts or that medications. got discontinued without justification.
59. DR. Shelton has more or less rubber stamped all my Grievance appeals Dated 12-8-04, 2-3-05, 3-6-05, 4-18-05, and 9-14-05. all of these Dealing with my hernia, lab work, DR Dietl disrespecting and refusing me treatment, or medication for my pain or being wrongly taken off medication with no substitute or solution.
60. DR shelton has purposely ignored my complaints of pain, and suffering
61. DR shelton was responsible for making policy that violates the law and both state and federal constitution.
62. DR shelton in a grievance Appeal reply contradicts ms Harmon PMHNP who says she has NO control of medications, yet he says she does, plus made false statements in the Reply letter.
63. SRLI T.L.C. Committee consists of doctors and practitioners <sup>who</sup> Decide medical Issue without seeing the individual, and make a diagnosis sight un-seen.



64. EOCI TLC Committee consists of Doctors and practitioners who decide medical issues and treatment without seeing the individual and make diagnosis sight un-seen.
65. ms Treasa Hicks is responsible for processing grievances when there is a dispute yet she has rejected a grievance dealing with medical and denial of legal due process
- 66 ms T. Hicks found my bringing up Rules and policy to staff to be disrespectful on a Grievance 7/28/05.
67. ms. Hicks states I cant grieve being held in segregation past my day to be Released
68. ms. Hicks on 6/1/05 would not Answer a Inmate Communication dealing with TLC committee, or medical staff,
69. ms. Hicks processed a total of 10 grievances dealing with medical issues which all were exhausted to Salem, DOC health administrator or asst. Director
70. ms. P. Maine is Responsible for processing grievances and discrimination complaints at EOCI
71. ms. P. Maine had a obligation to make sure appropriate staff Replied to grievances whom were named in it, which she failed to do

71. on several occasions.

72. Ms. Maine in a inmate communication dated 3-11-05 states that a party to a grievance, say for failure to reply to a inmate communication that a supervisor can reply although they got no direct knowledge of a issue, but it was for the purpose to mislead the grievance process per OAR 291 Division 109.

73. Ms. P. Maine in a inmate communication dated 3-15-05 states she will not process any grievances in regards to my hernia.

74. Ms. P. Maine purposely allowed other staff to reply to grievances such as supervisor or managers so the real answers can be skirted and also says I can't grieve a non response yet OAR Division 109 states otherwise which denies me due process.

75. Ms. P. Maine denied a grievance for SRCI dealing with a stomach infection which was found to be positive yet did not forward it knowing it would implicate from the written reply that could be used against Doc Medical in SRCI or EOCA.

76. SRCI pharmacy Department failed to fill a valid Doctors order on 2 occasions.

When I Transferred Back to SRECT.

77. DR. Duncan is the Sole reason I've had my problems with my medications and Due to our conflicts which he made me a personal Issue.
78. DR Duncan took over care of me once DR. stoume left facility who was my provider and ordered neurotin which took away pain.
79. DR Duncan was sent a kite about just outright lowering my medications for pain and nurse Clements Answered it say I'd see a provider which was DR. Duncan.
80. DR Duncan lowered my neurotin from 600 mg to 400 mg in morning, and left nightly at 600mg, but said my body has its own pharmacy and by using medications it will shut it down.
81. on 3-2-04 is when DR. Duncan lowered my medication, and changed another completely.
82. on 4-14-04 I filed a grievance on DR Duncan over my neurotin medication and his care of me, and in its Reply by nurse Hodge she confirmed DR. Duncan saying my Body has it own pharmacy, but goes on to say problem is now solved since my medication was corrected by ZOET and put back as it was before Duncan got ahold of me.
83. once I came back to SRECT, DR Duncan again

interfered with my medications by telling DR. Gulick to discontinue Both Benadryl and neurotin and told me by kite Dated 5-27-05

84. on 7/5/05 I write DR Duncan but nurse Hodge Answers it Saying ILL get a chart Review.
85. on 5-27-05 DR Duncan Says my neurotin expires on 6-9-05, but the kite was in regards to medication running out, which he ignores.
86. a kite to DR. Duncan Answered by a nurse on 6-28-05 saying go to sick call, and see provider which is DR Gulick whom said DR Duncan wanted me off them.
87. DR Duncan has punished me for filing a complaint on him, and a confrontation and the current 1983 suit he knew I was naming him in and grievances and puts nurses up to Reply to kites that avoid Issues.
88. DR Gulick put in a TLC Request per DR Duncans Request on my neurotin use, and on 6-9-05 it was ordered to taper me off though I was Diagnosed with pain and Decision was for neurotin for a couple weeks and see mental Health and follow up with with DR Gulick.

89. DR. Gulick is the PSN Doctor and per Doctor Purnean stopped my Benadryl, and put in to Review my neurotin on 5-17-05 to Discontinue regardless of pain.
90. DR Gulick seen my hernia and seen it was Red, and was tender and is a simple procedure to fix he says, but unfortunately Due to DR Shelton's policy, it could not be fixed unless its life threatening.
- 91 DR. Gulick says DR stoune should of not gave me neurotin, or Benadryl, that it was an ERROR, regardless of DR. Stoune being a well known Doctor of medicine or a chief medical doctor, when DR. bulick is a doctor of family practice.
- 92 DR Gulick would give me no medications for pain of my hernia or legs, although he knows a hernia is painful as it tears, but as long as I can push it back in regardless of pain to do so. but will do nothing, and says hes bound by doc policy made by Dr. Shelton, which he knows is wrong but lets it be, and cutting back medication due to budget which violates the law.
93. I Seen DR. Gulick several times on my hernia and legs till he with a nurse said I better